

REMARKS

Claims 1-26 and 52-73 continue to appear in this application for the Examiner's review and consideration.

In response to the species restriction, applicants elect Species 16, Figs. 9B and 10A for examination at this time. Claims 1-3, 10-15, 20-25 and 52-73 are directed to the elected species and should be examined at this time. Dependent claims 4-9, 16-19 and 26 are currently withdrawn from consideration but these claims should be allowed when the claims from which they depend are allowed.

Also, applicants understand that if no material prior art is found to cite against the elected species, the Examiner will conduct further searching of the non-elected species. Applicants note that a prior examination of claims 1-26 resulted in the determination of allowable subject matter in claims 11, 13, 16-21, and 26. Claim 20 was re-written in independent form for that reason.

In addition, the other independent claims have been presented to define patentably distinct subject matter. In particular, independent claim 1 recites that the disc includes a plurality of micro-spots comprising pits, grooves, or both, each having widths of about 0.6 μm for increased transmission of data-carrying radiation. The present specification explains that these increased size pits or grooves provide an increase of at least 30% in signal increase (i.e., the transmission of information-carrying information) without significantly affecting the signal to noise ratio.

Independent claim 10 recites that the light-controlling element reflects at least part of the information-carrying radiation toward towards the detecting means, namely, that part that is moving away from the detecting means. This enables an increased amount of the information-carrying radiation to reach the detector. Often, this is an increase of twice as much radiation, with improved signal reading and information processing obtained as a result.

Independent claim 23 recite a first detector for detecting the information-carrying radiation when the information-carrying radiation has a wavelength equal to a wavelength of the reading radiation and a second detector for detecting the information-carrying radiation when the information-carrying radiation has a wavelength different from the wavelength of the reading radiation.

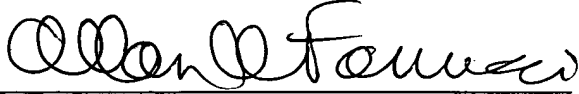
In view of the above, the entire application is believed to be in condition for allowance, early notice of which would be appreciated. Should any issues remain, a personal or telephonic interview is respectfully requested to discuss the same in order to expedite the allowance of all the claims in this application.

A petition for an extension of time is enclosed so that the filing of this response prior to October 12, 2005 is timely.

Based on the new Power of Attorney submitted herewith, all further communications should be directed to the undersigned at Customer Number 28765.

Respectfully submitted,

Date: 10/11/05


Allan A. Fanucci (Reg. No. 30,256)

WINSTON & STRAWN LLP
Customer Number 28765
(212) 294-3311